



4. The parties will be able to stipulate to enterprise status of the Defendants, the applicability of the Fair Labor Standards Act in this matter and that several of the Defendants were engaged, through unified operation of common control, in the performance of related activities for a common business purpose. Additionally, Defendants stipulate that Individual Defendant, Peter Xac, is an employer under the Act.

5. The parties have exchanged written discovery requests and produced documents. Plaintiff has deposed the representatives of the Defendant corporate entities, the individual Defendant Peter Xac, the Defendants' accountant and former manager.

6. No discovery disputes exist at this time.

7. The parties do not believe that an order pursuant to Federal Rule of Evidence 502 is necessary at this time.

8. The parties are attending mediation with Magistrate Pamela Mathy on March 3, 2015, and are optimistic that this matter will be resolved through the mediation process.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 5, 2015, I electronically filed a copy of the foregoing Joint Advisory to Court and served it by electronic transmission on all counsel of record through the Court's CM/ECF system.

/s/ Josef F. Buenker  
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